

IAP7 Rec'd PET/PTO 03 AUG 2006 #7

08/03/2006 THU 14:21 FAX 5129966854 Freescale Semiconductor

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AUG 03 2006

FORM SB/64

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
SC0978EG

First Named Inventor: Anthony Newton Group Art Unit: Unknown
 Application Number: 10/521,417 Examiner: Unknown
 Filed: January 5, 2005
 Title: TRANSMITTER AND RECEIVER GAIN CALIBRATION BY MEANS OF FEED-BACK IN A
 TRANSCIEVER

Attention: Office of Petitions
 Assistant Commissioner for Patents
 Box DAC
 Washington, D.C. 20231

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1500

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
Response to Notice of Missing Parts (identify type of reply)

☐ has been filed previously on _____

☒ is enclosed herewith

B. The issue fee of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

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 9 AUG 2006
 Legal Staff
 International Division

Page 1 of 2

PTO/SB/64 (10-00)

08/17/2006 SBASHEIR 00000006 503079 10521417
 01 FC:1453 200.00 DA

08/07/2006 MKAYPAGH 00000113 503079 10521417
 01 FC:1453 1500.00 DA

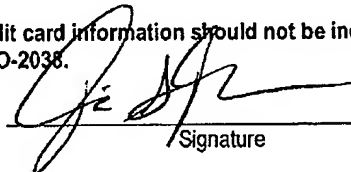
BEST AVAILABLE COPY

3. Terminal Disclaimer with disclaimer fee
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ For a small entity or \$ _____ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]
5. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 503079

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

Date

(512) 996-6839
Telephone Number



Signature

David G. Dolezal
Typed or printed name

Freescale Semiconductor, Inc.

23125
Customer Number

- Enclosures: ☒ Fee Transmittal
☐ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay

Legal Staff
International Division

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9 AUG 2006

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231
- ☒ Transmitted by facsimile on the data shown below to the United States Patent and Trademark office at (571) 273-8300.
- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231: Express Mail Label No. _____

8-3-06
Date



Signature

Stacie Herrera
Typed or printed name of person signing certificate

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AUG 03 2006

FAX TRANSMITTAL SHEET

Freescale Semiconductor, Inc.
Law Department
7700 W. Parmer Lane
MD: TX32/PL02
Austin, TX 78729
Telephone: (512) 996-6839
Facsimile: (512) 996-6854

19 Number of Pages (including this page)
31

Date: August 3, 2006
To: Office of Initial Patent Exam
Location: United States Patent and Trademark Office
Fax No.: (571) 273-8300
From: David G. Dolezal - 41,711
Subject: 10/521,417 Newton et al

NOTICE: This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

MESSAGE:

Enclosed herewith, please find a PETITION FOR REVIVAL for filing:

ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1.	x	1 page Facsimile Cover Sheet
2.	x	2 page petition for Revival of an Application for Patent
3.	x	1 page Fee Transmittal (in duplicate)
4.	x	2 page Response to Notice of Missing Parts
5.	x	2 page copy of Notice of Missing Parts
6.	x	3 page unexecuted copy of Oath and Declaration
7.	x	6 page Petition Under 37 CFR 1.47(b) with 12 pages of Exhibits
8.	x	1 page Statement Under 37 CFR 3.73(b)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE
PATENT AND TRADEMARK OFFICE:

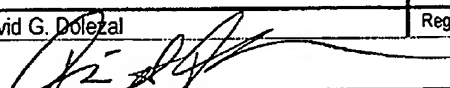
ON: 8/3/06
Date

[Signature]
Signature

AUG 03 2006

FEE TRANSMITTAL Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known	
		Application Number	10/521,417
		Filing Date	January 5, 2005
		First Named Inventor	Anthony Newton
		Examiner Name	Shelby J. Vigil
		Group Art Unit	Unknown
TOTAL AMOUNT OF PAYMENT (\$)		1630	Attorney Docket No. SC0978EG

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 503079 Deposit Account Name FREESCALE SEMICONDUCTOR, Inc.		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th></th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within sixth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to Institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1500</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td>1500</td></tr><tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(e)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="5">Other fee (specify)</td><td></td></tr><tr><td colspan="5">SUBTOTAL (3) (\$)</td><td>1630</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description		1051	130	2051	65	Surcharge - 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*or number previously paid, if greater. For Reissues, see above.																																																																																																																																																																																															

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	David G. Dolezal	Registration No.	41,711
Signature		Telephone	(512) 996-6839
		Date	8/3/06

AUG 03 2006

DOCKET NO.: SC0978EG

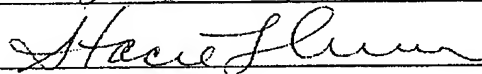
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Anthony Newton
APPLICATION NO.: 10/521,417
FILED: January 5, 2005
GROUP ART UNIT: Unknown
TITLE: TRANSMITTER AND RECEIVER GAIN CALIBRATION BY MEANS OF
FEED-BACK IN A TRANSCEIVER

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office.

on 8-3-06

Signature 

Stacie Herrem
Printed Name of Person Signing Certificate

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Customer Service Center
Initial Patent Examination Division

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

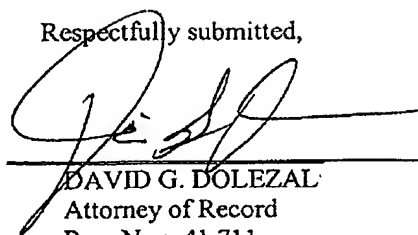
Responsive to the Notice to File Missing Parts of Application dated July 1, 2005 please find enclosed:

- ☒ 1 page Fee Transmittal form (in duplicate)
- ☒ 3 page Declaration Combined with Power of Attorney
- ☒ 2 page copy of Notice to File Missing Parts of Application
- ☒ 5 page Petition with Exhibits 1-8

The Commissioner is hereby authorized to charge all fees due to Account No. 503079. A fee transmittal is enclosed.

Respectfully submitted,

By:



DAVID G. DOLEZAL

Attorney of Record

Reg. No.: 41,711

Telephone: (512) 996-6839

Fax No.: (512) 996-6853

SEND CORRESPONDENCE TO:

FREESCALE SEMICONDUCTOR, Inc.

Law Department

Customer Number: 23125

Notice of 9/5/2005

Missing Parts due 11/1/05

*SMH
(Wharmby D&D)*



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U.S. APPLICATION NUMBER NO. 10/521,417	FIRST NAMED APPLICANT Anthony Newton	ATTY. DOCKET NO. SC0978EG
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Freescale Semiconductor Inc
Law Department
7700 W Parmer Lane
Mail Drop P102
Austin, TX 78729

Received

JUL 7 2005

Law Department

INTERNATIONAL APPLICATION NO.

PCT/EP03/06753

LA. FILING DATE	PRIORITY DATE
-----------------	---------------

06/25/2003

07/05/2002

CONFIRMATION NO. 8967

371 FORMALITIES LETTER



OC000000016409718

Date Mailed: 07/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/05/2005
- Copy of Annexes to the IPER filed on 01/05/2005
- Preliminary Amendments filed on 01/05/2005
- Information Disclosure Statements filed on 01/05/2005
- Request for Immediate Examination filed on 01/05/2005
- U.S. Basic National Fees filed on 01/05/2005
- Priority Documents filed on 01/05/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,417	PCT/EP03/06753	SC0978EG

FORM PCT/DO/EO/905 (371 Formalities Notice)

☐ Declaration Submitted with
Initial Filing

☒ Declaration Submitted after
Initial Filing (surcharge
(37 CFR 1.16(e)) required)

Attorney Docket Number

SC0978EG

First Named Inventor

Anthony Newton

Application Number

10/521,417

Filing Date

January 5, 2005

☒ Regular (Utility) Application

☐ Design application

Group Art Unit

Unknown

Examiner Name

Unknown

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TRANSMITTER AND RECEIVER GAIN CALIBRATION BY MEANS OF FEEDBACK IN A TRANSCEIVER

the specification of which:

☐ is attached hereto

☒ was filed on:

January 5, 2005

as U.S. Serial No.:

10/521,417

and was amended on:

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
PCT/EP2003/006753	PCT	06/25/2003		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
0215582.8	GB	07-05-2002		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:					

SC0978EG

1

Provisional Application Serial No.:	
Provisional Application Filing Date:	

I hereby claim the priority benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which is material to the patentability of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

☒ no such application(s) filed
☐ such application(s) identified as follows:

Application No.	Filing Date (day, month, year)	Status (Patented, Pending, Abandoned)

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: 23125 to prosecute this application and transact all business in the patent and trademark office connected therewith.

Address all telephone calls to:

David G. Dolezal
Telephone: 512.996.6839
Facsimile: 512.996.6853

Address all correspondence to: Customer Number 23125

SC0978EG
2

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first-named or sole inventor	<u>Anthony Newton</u>		
Inventor's signature	_____	Date	_____
Residence	<u>Le Vaud</u>	<u>Switzerland</u>	
	City	State or Foreign Country	
Citizenship	<u>Switzerland</u>		
	Country		
Post Office Address	<u>CHEMIN DES JARDILS</u>		
	Street Address		
<u>Le Vaud</u>	<u>Switzerland</u>	<u>CH-1261</u>	
City	State or Country	Zip Code	

Full name of second-named joint inventor	<u>HEINZ LEHNING</u>		
Inventor's signature	_____	Date	_____
Residence	<u>Tannay</u>	<u>Switzerland</u>	
	City	State or Foreign Country	
Citizenship	<u>Switzerland</u>		
	Country		
Post Office Address	<u>3 Chemin Des Grandes Pres</u>		
	Street Address		
<u>Tannay</u>	<u>Switzerland</u>	<u>CH-1295</u>	
City	State or Country	Zip Code	

SC0978EG

3

DOCKET NO.: SC0978EG

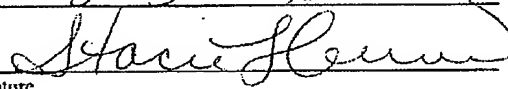
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Anthony Newton
APPLICATION NO.: 10/521,417
FILED: January 5, 2005
GROUP ART UNIT: Unknown
TITLE: TRANSMITTER AND RECEIVER GAIN CALIBRATION BY MEANS
OF FEED-BACK IN A TRANSCEIVER

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile
transmitted to the Patent and Trademark Office.

on

8-3-06

Signature

Stacie Herrera

Printed Name of Person Signing Certificate

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.47(b)

Sir:

In accordance with 37 C.F.R. §1.47(b), Freescale Semiconductor, Inc. hereby submits this Petition for authorization to file and prosecute the above identified patent application on behalf of and as agent for both inventors, Anthony Newton and Heinz Lehning, who have apparently refused to execute the application papers.

This petition includes proof of the pertinent facts, the fee set forth in §1.17(h), and the last known address of the inventors.

This US Application was filed claiming priority from a PCT Application (Application No. PCT/EP2003/006753, filed on June 25, 2003) and Great Britain Application (Application No. 0215582.8, filed on July 5, 2002).

This petition alleges that Anthony Newton and Heinz Lehning were not employed with Freescale Semiconductor, Inc. at the time of filing the US application.

This petition also alleges that Motorola, Inc. assigned its right to this patent application to Freescale Semiconductor, Inc.

This petition includes proof of the pertinent facts, the fee set forth in § 1.17 (h), and the last known address of both inventors. Applicant respectfully requests the granting of this petition in the above-referenced application.

This petition accompanies the oath and declaration in this application, which is submitted concurrently herewith.

1. Oath required by 37 C.F.R. §1.63 and 1.64

Freescale Semiconductor, Inc. is the 37 C.F.R. §1.47(b) applicant of the present application. A Declaration signed by Robert L. King, Senior IP Counsel, who is authorized to sign on behalf of Freescale Semiconductor, Inc., accompanies this petition.

2. 37 C.F.R. 1.47(b) Applicants relationship to inventor

Motorola, Inc. is the former employer of the inventors Anthony Newton and Heinz Lehning. Motorola, Inc. assigned its rights to this patent application to Freescale Semiconductor, Inc.

3. The full name and last known address of the inventors are as shown below.

Anthony David Newton
Les Jordils
Le Vaud, 1261 CH
Switzerland

Heinz Lehning
3 Chemin Des Grandes Pres
Tannay, 1295 CH
Switzerland

4. Inventors refusal to sign application papers

Inventors Anthony Newton and Heinz Lehning have apparently refused to sign the application papers. Proof of such, along with Applicant Freescale Semiconductor, Inc.'s proprietary interest is set forth below in the Statement of Facts.

5. Total Fee Due and Fee Payment

Per the Fee Transmittal form that accompanies the application, which is filed simultaneously herewith, charge deposit account No. 503079 of Freescale Semiconductor, Inc.

6. Fee Deficiency

If any additional fee is required in connection with this communication, authorization is hereby given to Commissioner of Patent to charge deposit account No. 503079.

STATEMENT OF THE PERTINENT FACTS

1. On April 12, 2005, Freescale Semiconductor, Inc.'s foreign agent, Impetus IP, Ltd. forwarded to Anthony Newton at the address set forth on the previous page, via TNT International, a hardcopy of the application, assignment and agreement, and declaration for his signature. Such documents were received by Anthony Newton on April 13, 2005. (See Exhibit 1 and Exhibit 3)
2. On April 12, 2005, Freescale Semiconductor, Inc.'s foreign agent, Impetus IP, Ltd. forwarded to Heinz Lehning at the address set forth on the previous page, via TNT International, a hardcopy of the application, assignment and agreement, and declaration for his signature. Such documents were received by Heinz Lehning on April 13, 2005. (See Exhibit 2 and Exhibit 3)
3. On September 1, 2005, Isabelle Barbe, an employee of EMEA Freescale Semiconductor, Inc., forwarded to Anthony Newton via email, a softcopy of the application, assignment and agreement, and declaration for their signature. (See Exhibit 4)
4. On June 18, 2003, Anthony Newton signed the Power of Attorney to Attorneys for Motorola, European Intellectual Property Operations for the PCT Application No. PCT/EP2003/006753, filed on June 25, 2003. (See Exhibit 5)
5. On June 11, 2003, Heinz Lehning signed the Power of Attorney to Attorneys for Motorola, European Intellectual Property Operations for the PCT Application No. PCT/EP2003/006753, filed on June 25, 2003. (See Exhibit 6)
6. Motorola, Inc. assigned its right to the Application to Freescale Semiconductor, Inc. effective as of April 4, 2004. (See Exhibit 7)
7. On January 5, 2005, the above identified patent application was filed with the USPTO, with an unsigned oath and declaration, naming as joint inventors: (1) Anthony Newton and (2) Heinz Lehning.
8. As of today, August 3, 2006, the undersigned, Impetus IP, Ltd., or EMEA Freescale Semiconductor, Inc. has not received any signed declaration document for S/N 10/521,417 (SC0978EG) from either Anthony Newton or Heinz Lehning.

REMARKS

From the statement of the pertinent facts above and the attached exhibits, it is submitted that over a period of time from April 2005 to September 2005, the undersigned through Impetus IP, Ltd., or EMEA Freescale Semiconductor, Inc., has provided to Anthony Newton and Heinz Lehning copies of the patent application and declaration document in the instant application. Anthony Newton and Heinz Lehning have received the patent application and declaration document, and neither Mr. Newton, nor Mr. Lehning have provided their signatures on the declaration document in the instant application. Accordingly, it is respectfully submitted that Mr. Anthony Newton and Mr. Heinz Lehning have apparently refused to join in this application for patent.

In accordance with Swiss Civil Law, below is a translated portion provided by the World Intellectual Property Organization's (WIPO) website, since Anthony Newton and Heinz Lehning were employees of Motorola, Inc. at the time the PCT application was filed, Motorola, Inc. was entitled to the ownership of the invention. Motorola, Inc. transferred its rights to the patent application to Freescale Semiconductor, Inc. (See Exhibit 8). Freescale Semiconductor, Inc. is therefore the rightful owner of Anthony Newton and Heinz Lehning's invention.

Federal Law supplementing the Swiss Civil Law Code, Art 332 of March 30, 1911

Notification states:

"Art. 332: The employer's right to inventions made by an employee in the performance of his duties."

"Art. 332a: The employer's right to designs, whether eligible for protection or not, created by an employee in the performance of his duties."

"Art. 332 and Art. 333(a) (repealed) (adopted on 5 October 2002): The new Law on Designs has eliminated the regulation under Art. 332(a) of the Code of Obligations (CO); Art. 332 thereof now establishes the same regulation for both invention and design rights."

<http://www.wipo.int/clea/en/fiche.jsp?uid=ch037>

In order to preserve its rights in the invention, Freescale Semiconductor, Inc. respectfully request that Freescale Semiconductor, Inc. be allowed to prosecute said application.

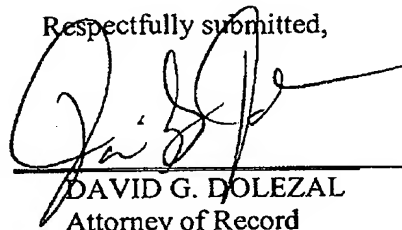
An early formal notice of the granting of this petition is respectfully requested.

SEND CORRESPONDENCE TO:

FREESCALE SEMICONDUCTOR, Inc.
Law Department
Customer Number: 23125

Respectfully submitted,

By:



DAVID G. DOLEZAL

Attorney of Record

Reg. No.: 41,711

Telephone: (512) 996-6839

Fax No.: (512) 996-6853

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RECEIVED COMPENSATION REPORT

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Sender 10 LTD Address 00000000 Tel 6781821040 Address 100 JORDIS

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END OF REPORT

Exhibit 1

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END OF REPORT

Exhibit 2



COPY

TNT International

P.O. Box 186
Ramsbottom
Bury BL0 9GR
Telephone: 08457 646564
Fax: 08457 646565
VAT Reg. No GB 354 7150 57

Bankers: National Westminster Plc
24 Deanogate
Bolton BL1 1BN
Bank Sort Code 01 30 09
Account No. 23908394

IMPETUS IP LTD
GROVE HOUSE
LUYTONS CLOSE
BASINGSTOKE, HAMPSHIRE
RG24 8AG
UNITED KINGDOM

For Invoice enquiry please call: 08457 646564
For Service / Delivery enquiry please call: 08705 446655

INVOICE

Invoice No. 04668625	Client No. 001014067
Invoice date 15-04-05	Due date 22-04-05
VAT Reg. No. GB642325950000	Page 1 OF 1

CONNOTE	SPECIFICATION	WEIGHT	AMOUNT	CHARGE V
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316672101 12-04-05 EXPORT S	GLOBAL EXPRESS (DOCS) REF: AHG 375616 TO: HEINZ LEHNING 3 CHEMIN DES GRANDES PRES TANNAY, 1295 CH	0.500A 1I	15.95	
Exhibit 3				
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31.90		0.00	0.00	
				Total amount
				31.90
A=ACTUAL WEIGHT I=ITEMS S=SENDER PAYS				

Registered Office: TNT UK Ltd, PO Box 99, Railway Street, Ramsbottom, Bury, Lancashire, BL0 8AL Registration Number 1622530

Herrera Stacie-R00135

From: Barbe Isabelle-ibar01
Sent: Thursday, September 01, 2005 11:02 AM
To: 'tonynewton@bluewin.ch'; 'glnewton@tm.net.my'
Cc: 'Susan Grant'; 'Gail Tanner (gail.tanner@impetus-online.co.uk)'; Herrera Stacie-R00135; Wharmby Martin-AMW025
Subject: SC0978EG US Assignment and Declaration
Importance: High
Attachments: SC0978EG US DECLARATION.doc; SC0978EG US ASSIGNMENT1.doc

Mr Newton,

Could you please print and sign the attache Oath and Assignment for the US filing of the patent SC0978EG with the title "METHOD AND APPARTUS FOR GAIN CALIBRATION" ? USPTO requires your signature on those documents, only yours is missing.

We need these documents signed by you (and 2 witnesses of your choice for the Assignment) before 20th September 2005 by express mail (UPS, DHL....)

For any question please contact me,

Regards

Isabelle Barbé

EMEA Law Department's assistant

FREESCALE Semiconducteurs France SAS
134 avenue du Général Eisenhower
BP 72329
31023 Toulouse Cedex 1
France
Tél : +33 5 61 19 17 43
Fax : +33 5 61 41 58 42

mail to : isabelle.barbe@freescale.com

☐ General Business Information ☐ Freescale Internal Use Only ☒ Freescale Confidential Proprietary

Exhibit 4

1/23/2006

PCT
POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

hereby appoints (appoint) the following person as:

<input checked="" type="checkbox"/> agent	<input type="checkbox"/> common representative
---	--

Name and address
(family name followed by given name, for a legal entity, full official designation. The address must include postal code and name of country.)

**GIBSON, Sarah / WHARMBY, Martin / HARRISON, Christopher
LITCHFIELD, Laura / McCORMACK, Derek / STASIEWSKI, Piotr
Motorola, European Intellectual Property Operations
Midpoint, Alconcon Link
Basingstoke
Hampshire, RG21 7PL
United Kingdom**

to represent the undersigned before

X	all the competent International Authorities the International Searching Authority only the International Preliminary Examining Authority only
----------	---

in connection with the international application identified below:

Title of the invention: **A Method And Apparatus For Gain Calibration**

Applicant's or agent's file reference: SC0978EG/PCT

International application number (if already available):

filed with the following Office European Patent Office as receiving Office and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign next to each signature
indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the
request or this power)

AD Newton
NEWTON, Anthony

18th June 2003
Dated

LEHNING, Heinz

Dated

Exhibit 5

**PCT
POWER OF ATTORNEY**

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (*Names should be indicated as they appear in the request*):

hereby appoints (appoint) the following person as: ☒ agent ☐ common representative

Name and address

(family name followed by given name, for a legal entity, full official designation. The address must include postal code and name of country.)

GIBSON, Sarah / WHARMBY, Martin / HARRISON, Christopher
LITCHFIELD, Laura / McCORMACK, Derek / STASIEWSKI, Piotr
Motorola, European Intellectual Property Operations
Midpoint, Alencon Link
Basingstoke
Hampshire, RG21 7PL
United Kingdom

to represent the undersigned before ☒ all the competent International Authorities
the International Searching Authority only
the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: A Method And Apparatus For Gain Calibration

Applicant's or agent's file reference: SC0978EG/PCT

International application number (if already available):

filed with the following Office European Patent Office as receiving Office and to make
or receive payments on behalf of the undersigned.

Signature of the applicant(s) (*where there are several applicants, each of them must sign next to each signature indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power*)

NEWTON, Anthony

Dated

LEHNING, Heinz

Dated

June 11, 2003

Exhibit 6

PATENT ASSIGNMENT

This Patent Assignment is between Motorola, Inc. ("Assignor") and Freescale Semiconductor, Inc. ("Assignee"). Capitalized terms used in this Patent Assignment have the same meanings given to them in the Agreement.

1. For good and valuable consideration, receipt of which the Assignor acknowledges, and by signing and delivering this instrument, the Assignor sells, assigns, transfers, conveys, and delivers to the Assignee all of the Assignor's right, title, and interest in and to:
 - (a) the patents, patent applications and invention disclosures specifically listed in Schedule 1 to this Patent Assignment; and
 - (b) the following properties and rights with respect to all patents and patent applications so listed in Schedule 1:
 - (i) the inventions claimed or described in the patents or applications,

any patents in the United States and anywhere else in the world and patent applications that have been or may be granted or filed, respectively, with respect to those inventions, including without limitation all foreign patents that may claim priority based on and correspond to the patents listed in Schedule 1,

all divisions, renewals, reissues, continuations, extensions, and (if filed by or for Assignee) continuations-in-part of the foregoing patents,

all income, royalties, damages, and payments due or payable to the Assignor with respect to the patents, including without limitation unpaid damages and payments for past, present, and future infringements of any patent and

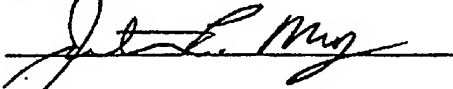
all rights to sue and recover damages and payments for past, present, and future infringements of any of the patents, including the right to fully and entirely replace the Assignor in all related matters.
2. The foregoing rights in and under the patents shall apply to the full end of their terms as fully as the Assignor would have held the same in the absence of this assignment. As of the date set forth below, the Assignee has succeeded to all right, title, and standing of the Assignor to (a) receive all rights and benefits pertaining to the patents described above, and (b) commence, prosecute, defend and settle all claims and take all actions that the Assignee, in its sole discretion, may elect in relation to the patents and rights described above.
3. This Patent Assignment (a) is irrevocable and effective upon the Assignor's signature to and delivery of a manually signed copy of this instrument or facsimile or email

Exhibit 7

transmission of the signature to this instrument in connection with the execution of the Agreement, if and only if the such execution occurs, (b) benefits and binds the parties to the Agreement and their respective successors and assignees.

The undersigned has signed this Patent Assignment effective as of April 4, 2004.

Motorola, Inc.:



By:

Name: Jonathan P. Meyer

Title: Senior Vice President and Assistant General Counsel

STATE OF Illinois

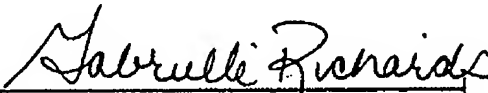
COUNTY OF COOK

On 12/10/04 before me, GABRIELLE RICHARDS (the undersigned notary), personally appeared Jonathan P. Meyer personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal this 10th day of December, 2004.

My Commission Expires:




Notary Public Signature
GABRIELLE RICHARDS
Printed Name of Notary Public

INTELLECTUAL PROPERTY ASSIGNMENT AGREEMENT

EXHIBIT A - LISTING OF PRINCIPAL ASSIGNED INTELLECTUAL PROPERTY

SCHEDULE 1: ASSIGNED PATENTS

A. Assigned SPS Patents

Status Description	Granted				
Country Code	Docket Number	Patent Number	Grant Date	Title	
USA	AP01203	5173836	12/22/92	A HERMETICALLY SEALED INTERFACE	
USA	AP01288	5386341	01/31/95	SEMICONDUCTOR CARRIER ASSEMBLY	
USA	AP5036ES	6697956	02/24/04	METHOD AND APPARATUS FOR PHRASE SYNCHRONIZING A PLURALITY OF MICROCONTROLLERS OF A DISTRIBUTED MICROCONTROLLER NETWORK IN A BRAKE-BY-WIRE AUTOMOBILE BRAKING SYSTEM	
USA	BW00031	6301306	10/09/01	METHOD AND APPARATUS FOR GENERATING A SHORT-RANGE WIRELESS DATA COMMUNICATION LINK	
USA	CE30084P	5784427	07/21/96	FEEDBACK AND SHIFT UNIT	
USA	CE30085P	5781566	07/14/98	CYCLIC REDUNDANCY CODER	
USA	CM00120E	4639631	01/27/87	ELECTROSTATICALLY SEALED PIEZOELECTRIC DEVICE	
USA	CM00153F	4997812	03/05/91	SUPERCONDUCTING THICK FILM	
USA	CM00216F1	5120678	06/09/92	ELECTRICAL COMPONENT PACKAGE COMPRISING POLYMER-REINFORCED SOLDER BUMP INTERCONNECTIONS	

1

EXHIBIT A - SCHEDULE 1

PCT	SC0933ET	PCT/EP02/10898	10/01/02	AUTOMATIC SCAN-BASED TESTING OF COMPLEX INTEGRATED CIRCUITS.
PCT	SC0940EC	PCT/EP02/13195	11/25/02	APPARATUS AND METHOD FOR DIGITAL CONTROL SYSTEMS
PCT	SC0945ET	PCT/EP03/01165	02/06/03	MAGNETIC NANOMATERIALS AND SYNTHESIS METHOD
PCT	SC0952EM	PCT/EP02/08261	07/24/02	CLOCK SYNCHRONIZATION IN A DISTRIBUTED SYSTEM
PCT	SC0956EI	PCT/EP03/02222	03/03/03	INSTRUCTION CACHE AND METHOD FOR REDUCING MEMORY CONFLICTS
PCT	SC0965EG	PCT/EP03/03437	04/02/03	APPARATUS AND METHOD FOR SCHEDULING TASKS IN A COMMUNICATIONS NETWORK
PCT	SC0973EI	PCT/EP03/00522	01/20/03	CHANNEL ESTIMATION IN A RADIO RECEIVER
PCT	SC0975EC	PCT/EP02/13199	11/25/02	PLL ARRANGEMENT CHARGE PUMP METHOD AND MOBILE TRANSCIVER
PCT	SC0978EG	PCT/EP03/06753	06/25/03	A METHOD AND APPARATUS FOR GAIN CALIBRATION.
PCT	SC0979EK	PCT/EP02/12821	11/11/02	INFORMATION COMMUNICATION CONTROLLER INTERFACE APPARATUS AND METHOD.
PCT	SC0981ET	PCT/EP03/01367	02/12/03	LOW DROP-OUT VOLTAGE REGULATOR
PCT	SC0982EM	PCT/EP02/12276	11/01/02	COMMUNICATION NETWORK AND ARRANGEMENT FOR USE THEREIN

GBRI	SC09767T	97109105.3	06/05/97	RESONATOR
GBRI	SC0977EI	222686.8	10/01/02	MODULE SYSTEM AND METHOD FOR TESTING A PHASE LOCKED LOOP
GBRI	SC0978EG	215582.8	07/05/02	A METHOD AND APPARATUS FOR GAIN CALIBRATION.
GBRI	SC0979EK	204044.2	02/20/02	INFORMATION COMMUNICATION CONTROLLER INTERFACE APPARATUS AND METHOD.
GBRI	SC09814C	97116850.5	09/29/97	METHOD FOR TRANSMITTING SIGNALS BETWEEN A MICROPROCESSOR AND AN INTERFACE
GBRI	SC0983EM	206732	03/22/02	SELF-ROUTING STAR-COUPLER-BASED COMMUNICATION NETWORK
GBRI	SC11433TH	324805.1	05/15/02	SYSTEM AND METHOD FOR CONTROLLING BUS ARBITRATION DURING CACHE MEMORY BURST CYCLES
GBRI	SC12303EM	224627	10/23/02	ARRANGEMENT SYSTEM AND METHOD FOR VECTOR PERMUTATION IN SINGLE-INSTRUCTION MULTIPLE-DATA MICROPROCESSORS.
GBRI	SC12328EC	314202.3	06/18/03	METHOD AND ARRANGEMENT FOR I-Q BALANCING AND RADIO RECEIVER INCORPORATING SAME
GBRI	SC12331ER	229878.4	12/20/02	CIRCUIT AND METHOD FOR SUPPLYING AN ELECTRICAL AC LOAD
GBRI	SC12401EM	318256.5	08/05/03	ARRANGEMENT AND METHOD FOR CONNECTING A PROCESSING NODE IN A DISTRIBUTED SYSTEM

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EXHIBIT A - SCHEDULE 1

SPM/99

**MOTOROLA**European Intellectual Property Section
Motorola Law Department**DISCLOSURE FOR PATENT
COMMITTEE**Submitted pursuant to employment agreement.
For instructions refer to Patent Template or IP
Section, Law Dept.MOTOROLA CONFIDENTIAL PROPRIETARY (upon creation)
For Patent Committee Use ONLY:DISCLOSURE No: **SC0978 EG**
Date submitted:
Date of Committee: **JAN 2002**
Decision **FILE** *Rev 13*

Inventors must complete items 1 to 9 Items 2 to 4 will require additional sheets.

PART I - TECHNICAL INFORMATION

- Title of the Invention: **HiperLAN2 Transmitter and Receiver Gain Calibration**
Add Useful Key Words (If Possible): **Hiperlan2, OFDM, Gain Stability, Wireless LAN**
- What was the problem(s) to be solved by the invention or what was the need(s) for the invention:
HiperLAN2 transmitter and receiver gains have to be precise because of TPC function, see attachment.
- What is the closest known technology, and why doesn't it resolve the problem(s) or fulfill the need(s):
Normal mobile phone approach not applicable, HiperLAN2 needs absolute precision, see attachment.
- How does this invention resolve the problem(s) or fulfill the need(s) in a new way (Include labelled drawings, flow charts or block diagrams to help explain the invention): **See attachment**

PART II - USE

- Conception Date: **12. 10. 00 (DD.MM.YY)** **ESSENTIAL FOR THE PATENT DEPARTMENT**
- Expected date of first offer for sale made for a product incorporating this invention: **03/2002** *which product/markets who to?*
- Expected date of first disclosure made outside Motorola without a nondisclosure agreement: **02/2002**
- Product(s) this invention may be used in: **WIRELESS LANS**

PART III - INVENTORS DETAILS (YOU MUST USE YOUR FULL FIRST, MIDDLE AND LAST NAMES.)

9a. **Anthony David NEWTON** **21.08.01** **GB**
Inventor's full name (Surname in CAPITALS) Signature Date Citizen

LES JORDILS **1261 LE VAUD, VAUD** **SWITZERLAND** **1261**
Home Address, Country Post Code

TE561 **263 00 389** **366** **SPS/WBSG** **GENEVA**
Dept. No Commerce ID Phone (ext.) Sector and Group Location

Employee Status:
(Permanent) X
(Contractor)
Tony.Newton@motorola.com

9b. **Heinz LEHNING** **21.08.01** **GERMANY**
Inventor's full name (Surname in CAPITALS) Signature Date Citizenship

CHEMIN DES GRANDS PRES 3 **1295 TANNAY, VAUD** **SWITZERLAND** **1295**
Home Address, Country Post Code

TE561 **263 00 302** **446** **SPS/WBSG** **GENEVA**
Dept. No Commerce ID Phone (ext.) Sector and Group Location

Employee Status:
(Permanent) X
(Contractor)
Heinz.Lehning@motorola.com

PART IV - APPROVALS

10. Technical Staff or Patent Liaison
Name: _____ Signature: _____ Date: _____ Phone: _____

11. Management
Name: _____ Signature: _____ Date: _____ Phone: _____
Is there management commitment to use this invention: _____

Exhibit 8

PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Anthony Newton et alApplication No./Patent No./Control No.: 10/521,417Filed/Issue Date: January 5, 2005Entitled: TRANSMITTER AND RECEIVER GAIN CALIBRATION BY MEANS OF FEED-BACK IN A TRANSCEIVERFreescale Semiconductor, Inc.a Corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Anthony Newton To: Motorola, Inc. via employment status

~~The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy thereof is attached.~~

2. From: Heinz Lehning To: Motorola, Inc. via employment status

~~The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy thereof is attached.~~

3. From: Motorola, Inc. To: Freescale Semiconductor, Inc. see Exhibit 7 of Petition

~~The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy thereof is attached.~~

under 1.47(b)

☒ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Robert L. King

Printed or Typed Name

Senior Patent Counsel

Title

Date

512-996-6839

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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